

**MINUTES
YANCEYVILLE TOWN COUNCIL
June 2nd, 2015
7:00 PM**

The meeting of the Town Council was held in the Council Chambers at the Yanceyville Municipal Services Building on June 2nd, 2015 at 7:00 PM.

Council members present: Alvin Foster, Mayor Pro-Tem, Brian Massey, Odessa Gwynn, and Keith Tatum.

Staff: Brian Collie, Town Manager, Lee Farmer, Town Attorney, & Ryan Strader, Finance Officer.

Item 1: Call To Order

Mayor Pro-Tem Alvin Foster called the meeting to order at 7:00 PM. Meeting opened with silent prayer. He asked all to stand for the pledge of allegiance. The Mayor-Pro Tem also stated that copies of the Town's Rules and Procedures were available if anyone needed a copy.

Item 2: Review and Adoption of Agenda – Mayor Pro-Tem & Council

Mayor Pro-Tem Foster asked Council for a motion to approve the agenda. After review Mrs. Odessa Gwynn made a motion to approve the agenda as presented. The motion was seconded by Mr. Brian Massey and passed with a unanimous vote.

Item 3: Consent Agenda

Mayor Pro-Tem Foster asked Council to review the minutes from May 5th, 2015. After review Mr. Massey made a motion to adopt as presented. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Item 4: Public Comment

There were no public comments at this time.

Item 5: CDBG Water/Sewer Grant Discussion- Darrell Russell, Town Engineer

Town Engineer, Mr. Darrell Russell addressed Council by first giving an update on the status of the Town's CDBG grant application for improvements to the Town's Waste Water Treatment Plant that was submitted by Piedmont Triad Regional Council on the Town's behalf. He stated that the application did not get approved because it was deemed

incomplete, because of a handful of minor issues that were overlooked. He said that funding through this program is in such high demand that the Department of Commerce has very strict rules that govern the review of applications. He then said that CDBG does have another round of funding that requires applications to be submitted by September 30th, 2015 and he highly urged that the Town re-submit a complete application at that time. He said that in the meantime he feels the Town needs to continue pursuing the loan/grant that it was awarded through the Clean Water State Revolving Fund in 2014. He said that this fund awarded the Town a grant of \$497,393 with the remainder of \$1,250,000 being a loan at 0% interest for the WWTP project. He said that the Town hasn't formally accepted the grant but that in order to meet their deadlines the Town needs to hire an engineer as soon as possible because "bid and design package" submittal has to be submitted by September 1st. He said that optimally he hopes that the town can secure full grant funding through CDBG in its next round but doesn't need to lose the CWSRF funding in case the CDBG isn't awarded.

Mayor Pro-Tem Foster asked if the same "bid and design package" for CWSRF could be used if the Town is awarded CDBG monies. Mr. Russell replied yes, it can also be used for the CDBG program. Mr. Russell said that if Council wants to continue to pursue the CWSRF funds that it needs to advertise a Request for Proposals" (RFQ) as soon as it can to give which ever engineering firm the Town choses enough time to complete the package for submittal. At that time Mayor Pro-Tem Foster said if there was no further discussion can we have a motion to advertise a RFQ for qualified engineering firms to complete the "bid and design package" for CWSRF funding. Mrs. Gwynn made a motion to advertise a RFQ for qualified engineering firms to complete the "bid and design package" for CWSRF funding. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Item 6: Introduction of New Code Enforcement Officer- Marc Allred, Regional Planner I PTRC

Town Manager, Brian Collie introduced Mr. Mark Allred from Piedmont Triad Regional Council as the Town's new Code Enforcement Officer & Zoning Map Technician starting on July 1st, 2015. Mr. Allred addressed Council and thanked them for the opportunity. He said that his services will initially focus on Code Enforcement, but will also include Zoning Map Updates as needed. Mr. Allred said that PTRC will provide up to 16 hours of code enforcement services per month for an average of 8 hours every other week including travel time from PTRC offices. It will also provide an every other month code enforcement report to the Town Council at their monthly meetings.

He listed other local governments that he had served in and informed Council that his first day would begin on July 10th. Mayor Pro-Tem and Council thanked Mr. Allred for his introduction and stated that they look forward to working with him.

Item 7: Public Hearing- Special Use Permit- Solar Facility

Mayor Pro-Tem Foster asked Council for a motion to go into public hearing. Mrs. Gwynn made a motion to go into public hearing. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Mr. Collie went stated that on May 20th the Yanceyville Planning Board unanimously made a recommendation for Council to approve a Special Use Permit to allow Strata Solar to construct a solar facility off of Murray Rd. on property owned by Richard M. Johnson Jr. He stated that a complete application had been submitted and that large scale site plans were available for review. Mr. Collie stated that several representatives from Strata Solar and the property owners were in attendance. Attorney Beth Trahos, representing Strata asked to address the Board. Mrs. Trahos went over an overview of the project and submitted each member of Council a solar impact study of the area from Kirkland Appraisals. Mrs. Trahos then introduced Strata's Engineer who developed the site plan for the facility. He addressed Council and went over a summary of the site plan. After the Engineer completed his summary, Appraiser Richard Kirkland approached Council to go over the previously submitted impact study. He stated that it was his professional opinion that solar facilities have no impact on surrounding uses and are harmonious to all surrounding uses.

After Mr. Kirkland gave his opinion Mr. Louis Iannone, Site Acquisitioner from Strata Solar approach Council and provided council and staff with a letter from the NC Public Utilities Commission stating that they deemed solar and this project a public necessity. Mr. Iannone said that all other state agencies have reviewed the proposed project and that the project meets all state requirements for a solar facility. He then said that solar is a clean source of energy and that it will create new jobs.

After Strata's representatives finished their presentations Mayor Pro-Tem Foster asked Council and then the public if they had any comments or questions. Citizen Margie Badgett-Lampkin asked Mr. Iannone how many jobs the project would create. Mr. Iannone said that it would create approximately 1,000 jobs during the construction phase. After no further comments Mrs. Gwynn made a motion to go out of public hearing. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Mrs. Gwynn then made a motion for Council to go back into regular session. . The motion was seconded by Mr. Massey and passed with a unanimous vote. Mayor Pro-Tem Foster read all 4 criteria in order for Council to approve a special use. When finished he asked Town Attorney, Lee Farmer if Council could vote on all 4 criteria in one motion. Attorney Farmer stated that Council could. Mayor Pro-Tem Foster then asked Council for a motion to approve all 4 special use criteria. Mr. Massey made a motion to approve the special use criteria. The motion was seconded by Mr. Keith Tatum and passed with a unanimous vote.

Mayor Pro-Tem Foster then asked Council for a motion to approve the Solar Facility Special Use Permit as presented. Mr. Tatum made a motion to approve the Solar Facility Special Use Permit as presented. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Item 8: Public Hearing – FY 2015-2016 Budget Adoption

Mr. Tatum made a motion to go into public hear to hear comments on FY 2015-2016 Budget Ordinance. The motion was seconded by Mrs. Odessa Gwynn and passed with a unanimous vote. Manager Collie went over the proposed FY 2015-2016 Budget Ordinance as follows:

“TOWN OF YANCEYVILLE”
BUDGET ORDINANCE
2015-2016

“BE IT ORDAINED by the Governing Board of the Town of Yanceyville, North Carolina:

Section 1. The following amounts are hereby appropriated in the General Fund for the operation of the town government and its activities for the fiscal year beginning July 1, 2015, and ending June 30, 2016 in accordance with the chart of accounts heretofore established for this Town:

Governing Board	\$25,000.00
General Government	301,400.00
Fire Department	184,578.18
Public Works	104,000.00
Municipal Services Operating	12,500.00
Recreation Department	17,500.00
Budgetary Appropriations	75,000.00
Capital Improvement Plan	34,550.00

	\$754,528.18

Section 2. It is estimated that the following revenues will be available in the General Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016 to meet foregoing appropriations:

Ad Valorem Taxes	\$319,800.00
Other Taxes	267,800.00
Fees	40,650.00
Other Revenue Sources	126,278.18

	\$754,528.18

Section 3. The following amounts are hereby appropriated in the Water and Sewer Enterprise Fund for the operation of the water and sewer utilities for the fiscal year beginning July 1, 2015, and ending June 30, 2016, in accordance with the chart of accounts heretofore approved for the Town:

Operating	\$1,101,091.00
Budgetary Appropriations	125,000.00
Debt Service	340,500.00
Capital Improvement Plan	51,381.00

	\$1,617,972.00

Section 4. It is estimated that the following revenues will be available in the Water and Sewer Enterprise Fund for the fiscal year beginning July 1, 2015, and ending June 30, 2016. These projections reflect a 0% rate increase for the water and sewer rates.

Water Revenues	\$925,352.00
Sewer Revenues	630,360.00
Reconnect Fees	5,000.00
Tappage Fees	8,000.00
Other Operating Revenues	49,260.00

	\$1,617,972.00

Section 5. The following amounts are hereby appropriated in the Special Revenue Fund for the operation of restricted revenue sources such as Powell Bill Revenues and grant awards for the fiscal year beginning July 1, 2015, and ending June 30, 2016 in accordance with the chart of accounts heretofore established for this Town:

Powell Bill – Restricted	\$41,000.00
Powell Bill – Reserve	160,350.00

	\$201,350.00

Section 6. It is estimated that the following revenues will be available in the Special Revenue Fund for the fiscal year beginning July 1, 2015 and ending June 30, 2016 to meet foregoing appropriations:

Powell Bill – Restricted	\$41,000.00
Powell Bill – Reserve	160,350.00

	\$201,350.00

Section 7. There is hereby levied a tax at the rate of thirty-three cents (.33) per hundred dollars (\$100) valuation of property listed for taxes as of January 1, 2015, this reflects no increase in the tax rate for this fiscal year. This rate is based on a total valuation of property located in Yanceyville by the Caswell County Tax Department for the purposes of taxation and estimates a rate of collection of 97%.

Section 8. The Finance Officer is hereby authorized to transfer appropriations as contained herein under the following conditions:
a. The Finance Officer may not transfer any amounts between funds, except as approved by the Governing Board in the Budget Ordinance as amended.

Section 9. Copies of this Budget Ordinance shall be furnished to the Town Manager and to the Finance Officer to be kept on file by them for their direction in the disbursement of funds.”

After Manager Collie finished going over the Budget Ordinance, Mayor Pro-Tem Foster asked if there were any public comments. Citizen Margie Badgett-Lampkin asked about what Capital Improvements were planned. Manager Collie stated that some of the improvements included code re-codification, a new service truck, computers/software, update system maps, and water plant renovations. He then told Mrs. Badgett-Lampkin that he could get her a copy of the Capital Improvement Plan if she wanted one. After no further public comments, Mrs. Gwynn made a motion to go out of public comment. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

Mrs. Gwynn then made a motion to go back into regular session. The motion was seconded by Mr. Tatum and passed with a unanimous vote. Mayor Pro-Tem Foster asked for a motion to approve the tax rate. Mr. Massey made a motion to levy a tax at the rate of thirty-three cents (.33)

per hundred dollars (\$100) for FY 2015-2016. The motion was seconded by Mr. Tatum and passed with a unanimous vote. Mayor Pro-Tem Foster asked for a motion to adopt the Budget Ordinance. Mr. Massey made a motion to adopt the FY 2015-2016 Budget Ordinance as presented. The motion was seconded by Mrs. Gwynn and passed with a unanimous vote.

Item 9: Review & Consideration of Municipal Weapons Ordinance to Set Public Hearing- Lee Farmer, Town Attorney

Attorney Farmer addressed the Board and presented a summary of the proposed Municipal Weapons Ordinance. The Ordinance would make it unlawful for any person to possess or carry a concealed or non-concealed weapon in any building owned by the Town and unlawful for any person to possess or carry a non-concealed weapon on any property owned, leased, or operated by the Town.

Mr. Farmer stated that the County recently adopted a very similar ordinance and that the Courts have recommended that the Town and County have uniform enforcement of weapons. Mayor Pro-Tem Foster asked Mr. Farmer if this ordinance was tied to the recently distributed liability assessment. Mr. Farmer said that it was. Mrs. Gwynn asked if copies can be made available to the public. Manager Collie said that anyone that would like to review the draft can get a copy from him. Council agreed to put the draft ordinance on the agenda of the next Council meeting.

Item 10: Adoption of Resolutions for Annexation Public Hearings- Lee Farmer, Town Attorney

Attorney Farmer presented Council with two (2) resolutions fixing a date to have public hearings on questions of voluntary annexations of Quail Meadows Subdivision and property located off of Chandler Rd. The date for both public hearings as presented would be on July 7th, 2015 at 7:30 p.m. He then issued the Board with Clerk approved Certificates of Sufficiency.

After short discussion Mrs. Gwynn made a motion to set both public hearings at Council's next scheduled meeting on July 7th, 2015 at 7:30 p.m. at the Yanceyville Municipal Services Building. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Item 11: Review & Consideration of Risk Management Measures- Lee Farmer, Town Attorney

Attorney Farmer presented the risk management letter he had given Council on April 7th, 2015 which outlined the need for Public Works

employees to have CDL license, a sidewalk inspection program, a municipal firearms ordinance, municipal premise video surveillance system, municipal code re-codification, Fire Department CDL vehicle operation requirement, Municipal Services Building auto defibrillator, Municipal Art Museum restoration of assets. Mr. Farmer said that these were his recommendations to limit liability to the Town. He stated that Council has already addressed the firearms ordinance, code re-codification, and the museum art restorations. Mrs. Gwynn was concerned about the lack of Public Works employees not having their CDL. Manager Collie informed Council that Director of Public Works, Mark Guthrie had his CDL and that he was the only employee authorized to operate vehicles that require that license. Council all agreed that at least 2 of the 3 Public Works employees need their CDL's. Mayor Pro-Tem Foster asked about the sidewalk study. Attorney Farmer stated that it is the Town's responsibility to make sure the sidewalks are maintained and safe and that without periodic inspections that it could be a liability. Council all agreed to look into starting the sidewalk inspection program.

Mayor Pro-Tem Foster asked if the suggested surveillance cameras were just for the art museum. Attorney Farmer stated that it was needed for the artwork since it has high value but he thinks it should be for the entire service building premise. Council requested that Manager Collie get cost estimates on video surveillance cameras and alarm system for the Municipal Services Building. Attorney Farmer also commented on the possible need for protection at the water plant as well.

Attorney Farmer said that next on the list were CDL's for Fire Fighters. Mr. Massey stated that NC General Statutes state that Volunteer Fire Fighters are exempt from CDL requirements and that he thinks that state statutes protects the Town. Mr. Massey said the Fire Department was very strict on allowing who can drive the trucks. He said that any driver must be a member of the Fire Department, must be over 21 years old to drive to an emergency, and all drivers must complete the state certified drivers safety course, and complete continued education programs. On top of that he stated that all drivers must be passed off by a ranking Line Officer before they are allowed to operate a truck. Mr. Massey said that he doesn't see how an insurance company can break the law and go against the General Statute law. Attorney Farmer agreed with everything Mr. Massey said but the insurance company would just like another layer of protection in case of an accident. Mrs. Gwynn asked Attorney Farmer if he was aware of any cases in the state where a Volunteer Fire Fighter that did not have a CDL wasn't covered by insurance after an accident. Attorney Farmer said that he wasn't aware of any. Mayor Pro-Tem Foster asked how many Fire Fighters would volunteer to take the course to get their CDL's if the Town offered it for free. Mr. Massey said that he would ask everyone at their next meeting. Mayor Pro-Tem stated that he thinks it

would be best to offer it as a voluntary program, and Council agreed. Mayor Pro-Tem Foster then asked Manager Collie to get some quotes on getting an auto-defibrillator for Town Hall and the Water Plant. Manager Collie said that he would look into it.

Item 12: Town Manager Report

Manager Collie informed the Board of the Emergency Water Line Performance Bond Closed, the NCDOT “no parking” signs that will be put up at the intersection of Main St & First Ave., the proposed Washington D.C. trip seeking water/sewer funding, and that the NCDOT was conducting requested studies at the school intersections of Hwy 158/Hatchet Rd., and Main St. /Hwy 62 South.

Item 13: Closed Session- Attorney Client & Contractual

Mrs. Gwynn made a motion to go into closed session for attorney/client & contractual discussions. The motion was seconded by Mr. Tatum and passed with a unanimous vote.

After Council returned into Council Chambers Mrs. Gwynn made a motion to come out of closed session. The motion was seconded by Mr. Tatum and passed with a unanimous vote. Mrs. Gwynn then made a motion to go back into open session. The motion was seconded by Mr. Massey and passed with a unanimous vote.

Item 14: Informal Discussion/Public Comment

Citizen Margie Badgett-Lampkin addressed Council apologizing for missing item number 5 and asked Council if they could go back over it. Mayor Pro-Tem Foster went back over item 5, CDBG Water/Sewer Grant discussion by giving a summary of what was discussed.

Item 15: Adjournment

After no further discussion Mr. Tatum made a motion to adjourn. Mr. Massey seconded the motion which passed with a unanimous vote.

Brian Collie, Town Manager/Clerk, prepared the above minutes. They represent a brief description of those matters that were addressed at this meeting. A detailed account of this meeting is available for review on tape at the Yanceyville Municipal Services Building.

Respectively Submitted:

Alvin Foster, Mayor Pro Tem

Brian Collie, Town Clerk